

Senate Bill No. 116

CHAPTER 249

An act to amend Section 798.51 of, and to add Sections 798.74.4 and 799.10 to, the Civil Code, relating to mobilehome parks.

[Approved by Governor September 1, 2003. Filed
with Secretary of State September 2, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

SB 116, Dunn. Mobilehome parks.

(1) Existing law regulates mobilehome parks and prohibits a mobilehome park rental agreement, rule, or regulation from denying a homeowner or resident the right to invite candidates for public office to meet and speak with homeowners and residents, as specified, or from canvassing or petitioning homeowners and residents with regard to the initiative, referendum, or recall processes, as specified. Existing law also governs the rights of a resident with an ownership interest in a mobilehome subdivision, cooperative, or condominium, or a resident-owned mobilehome park.

This bill would provide that a homeowner or resident of a mobilehome park, or a resident with an ownership interest in a mobilehome subdivision, cooperative, or condominium, or a resident-owned mobilehome park, may not be prohibited from displaying a political campaign sign, as specified. The bill would establish the maximum size of a political sign and the duration for which a sign may be displayed before and after an election for these purposes. This bill would also make technical changes.

(2) Existing law requires that a transferor make certain real estate transfer disclosures with respect to the resale of a mobilehome or manufactured home, as specified, when the mobilehome or manufactured home is personal property and is intended for use as a residence.

This bill would specify that the transfer or sale of a mobilehome or manufactured home in a mobilehome park is subject to the real estate disclosures described above.

The people of the State of California do enact as follows:

SECTION 1. Section 798.51 of the Civil Code is amended to read:

798.51. (a) No provision contained in any mobilehome park rental agreement, rule, or regulation shall deny or prohibit the right of any homeowner or resident in the park to do any of the following:

(1) Peacefully assemble or meet in the park, at reasonable hours and in a reasonable manner, for any lawful purpose. Meetings may be held in the park community or recreation hall or clubhouse when the facility is not otherwise in use, and, with the consent of the homeowner, in any mobilehome within the park.

(2) Invite public officials, candidates for public office, or representatives of mobilehome owner organizations to meet with homeowners and residents and speak upon matters of public interest, in accordance with Section 798.50.

(3) Canvass and petition homeowners and residents for noncommercial purposes relating to mobilehome living, election to public office, or the initiative, referendum, or recall processes, at reasonable hours and in a reasonable manner, including the distribution or circulation of information.

(b) A homeowner or resident may not be charged a cleaning deposit in order to use the park recreation hall or clubhouse for meetings of resident organizations for any of the purposes stated in Section 798.50 and this section, whether or not guests or visitors from outside the park are invited to attend the meeting, if a homeowner or resident of the park is hosting the meeting and all homeowners or residents of the park are allowed to attend.

(c) A homeowner or resident may not be required to obtain liability insurance in order to use common area facilities for the purposes specified in this section and Section 798.50. However, if alcoholic beverages are to be served at any meeting or private function, a liability insurance binder may be required by the park ownership or management. The ownership or management of a mobilehome park may prohibit the consumption of alcoholic beverages in the park common area facilities if the terms of the rental agreement or the rules and regulations of the park prohibit it.

(d) A homeowner, organization, or group of homeowners using a recreation hall or clubhouse pursuant to this section shall be required to adhere to any limitations or restrictions regarding vehicle parking or maximum occupancy for the clubhouse or recreation hall.

(e) A homeowner or resident may not be prohibited from displaying a political campaign sign relating to a candidate for election to public office or to the initiative, referendum, or recall process in the window or on the side of a manufactured home or mobilehome, or within the site on which the home is located or installed. The size of the face of a political sign may not exceed six square feet, and the sign may not be



displayed in excess of a period of time from 90 days prior to an election to 15 days following the election, unless a local ordinance within the jurisdiction where the mobilehome park is located imposes a more restrictive period of time for the display of such a sign.

SEC. 2. Section 798.74.4 is added to the Civil Code, to read:

798.74.4. The transfer or sale of a manufactured home or mobilehome in a mobilehome park is subject to the transfer disclosure requirements and provisions set forth in Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 4 of the Civil Code. The requirements include, but are not limited to, the use of the Manufactured Home and Mobilehome Transfer Disclosure Statement set forth in Section 1102.6d of the Civil Code.

SEC. 3. Section 799.10 is added to the Civil Code, to read:

799.10. A resident may not be prohibited from displaying a political campaign sign relating to a candidate for election to public office or to the initiative, referendum, or recall process in the window or on the side of a manufactured home or mobilehome, or within the site on which the home is located or installed. The size of the face of a political sign may not exceed six square feet, and the sign may not be displayed in excess of a period of time from 90 days prior to an election to 15 days following the election, unless a local ordinance within the jurisdiction where the manufactured home or mobilehome subject to this article is located imposes a more restrictive period of time for the display of such a sign. In the event of a conflict between the provisions of this section and the provisions of Title 6 (commencing with Section 1350) of Part 4 of Division 2, relating to the size and display of political campaign signs, the provisions of this section shall prevail.

SEC. 4. It is the intent of the Legislature that enactment of this bill not affect any other form of political expression by a homeowner or resident of a mobilehome park where that expression is not associated with an election or political campaign.

